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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,305	12/21/2000	Peter Tavernese JR.	NTL-3.2.149/3550 (12767HU)	2060
26345	7590	12/22/2003	EXAMINER	
GIBBONS, DEL DEO, DOLAN, GRIFFINGER & VECCHIONE 1 RIVERFRONT PLAZA NEWARK, NJ 07102-5497			NGUYEN, QUYNH H	
		ART UNIT		PAPER NUMBER
		2642		
DATE MAILED: 12/22/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/745,305	TAVERNESE, PETER	
Examiner	<b>Art Unit</b>		
Quynh H Nguyen	2642		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on Remarks filed 10/6/03.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-28 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-28 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

13)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a)  The translation of the foreign language provisional application has been received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s) \_\_\_\_ .  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ . 6)  Other: \_\_\_\_ .

## DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

### ***Claim Rejections - 35 USC § 103***

2. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada et al. (U.S. Patent 6,628,755) in view of Cox et al. (U.S. Patent 6,396,920).

Regarding claims 1 and 27, Shimada et al. teach a customer service response system ("transaction support system is in a call center C") capable of responding to an incoming call from a customer ("customer telephone 12"); a graphical user interface (reception terminal units 22a, 22b, and 22c includes a display unit 103) electrically coupled to the CSRS and configured to receive and display information from the CSRS originates from the calling party (col. 3, line 45 through col. 4, line 11). Shimada et al. teach the host computer processes a received input message and send an output message to the terminal unit 10 (col. 5, lines 38-55). However, Shimada et al. do not specifically suggest the CSRS plays a message to the calling party.

Cox et al. teach the CSRS ("the directory assistance service") plays a message to the calling party (col. 2, lines 57-65 and col. 6, lines 48-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that the teaching of sending a message to the terminal unit can be modified to playing the message to the calling party in order to allow the customer service response system to have a variety of options to communicate with the customer.

Regarding claims 2-4 and 17-19, Shimada et al. teach the GUI is configured to initiate another message and displays messages from the CSRS to the calling party (col. 5, lines 38-54). Furthermore, Cox et al. teach at least one of a plurality of messages is customizable (col. 20, lines 28-46).

Regarding claims 9 and 23, Shimada et al. teach the transaction support system constructed in a call center for routing calls from callers to one of a plurality of agent stations, therefore the call center is capable of responding to a plurality of incoming calls from calling parties.

Regarding claims 15 and 26, Shimada et al. teach the CSRS is capable of forwarding the incoming call to another telephone number (col. 8, line 64 through col. 9, line 3).

Regarding claims 5, 6, 10-13, 20, 21, 24, Shimada et al. do not teach the CSRS includes a voice recognition program that is capable of converting voice signals in text messages and text messages into voice signal.

Cox et al. teach a voice recognition unit that unable caller to press a key or speak a word and it will interprets spoken commands from the caller (col. 19, lines 39-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of including a voice recognition program that is capable of converting voice signals in text messages and text messages into voice signal, as taught by Cox, in Shimada's system in order to have a customer service response system that <sup>is</sup> capable of receiving, converting, and transmitting voice signals in text messages and text messages into voice signal.

Regarding claims 7, 8, and 22, Shimada et al. do not teach the GUI provides an option for bypassing the CSRS; the CSRS is an adjunct to a telephone. It would have been obvious to one of ordinary skill in the art to give customer/caller the option to bypass the CSRS to a regular telephone in case the caller does not wish to communicate with the agent via an interactive graphical display device.

Regarding claims 14 and 25, Shimada et al. teach the CSRS is capable of accessing a remote computer system ("forwarded customer's information to a specialized division or an outside bank" - col. 8, line 64 through col. 9, line12).

Claim 16 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Shimada et al. teach employing the GUI to prompt the CSRS to send a message to the caller and transmitting the message for receipt by the caller (col. 5, lines 30-55).

Claim 28 is rejected for the same reasons as discussed above with respect to claims 1 and 5.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen  
December 11, 2003



AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600